

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 226 be amended to read as follows:

- 1 Page 2, between lines 8 and 9, begin a new paragraph and insert:
- 2 **"(c) Subsections (d) through (g) apply only to personal property**
- 3 **that:**
- 4 **(1) is subject to a lien of a creditor imposed under an**
- 5 **agreement entered into between the debtor and the creditor**
- 6 **after June 30, 2004;**
- 7 **(2) comes into the possession of the creditor or the creditor's**
- 8 **agent after May 10, 2005, to satisfy, in part or in full, the**
- 9 **debt arising from the agreement; and**
- 10 **(3) had an original cost of at least three thousand two**
- 11 **hundred dollars (\$3,200)."**
- 12 Page 2, line 9, delete "(c)" and insert **"(d)".**
- 13 Page 2, line 12, delete "in full" and insert **"the amount of".**
- 14 Page 2, line 13, after "taxes" insert **"determined under STEP**
- 15 **SEVEN of the following formula".**
- 16 Page 2, line 16, delete "property." and insert **"property:".**
- 17 Page 2, between lines 16 and 17, begin a new line block indented and
- 18 insert:
- 19 **"STEP ONE: Determine the amount realized from any**
- 20 **transfer of the personal property made by the creditor or the**
- 21 **creditor's agent after the payment of the direct costs of the**
- 22 **transfer.**
- 23 **STEP TWO: Determine the amount of the delinquent taxes,**

1 including penalties and interest accrued on the delinquent
 2 taxes as identified on the form described in subsection (f) by
 3 the county treasurer.

4 **STEP THREE: Determine the amount of the total of the**
 5 **unpaid debt that is a lien on the transferred property that**
 6 **was perfected before the assessment date on which the**
 7 **delinquent taxes became a lien on the transferred property.**

8 **STEP FOUR: Determine the sum of the STEP TWO amount**
 9 **and the STEP THREE amount.**

10 **STEP FIVE: Determine the result of dividing the STEP TWO**
 11 **amount by the STEP FOUR amount.**

12 **STEP SIX: Multiply the STEP ONE amount by the STEP FIVE**
 13 **amount.**

14 **STEP SEVEN: Determine the lesser of the following:**

15 **(A) The STEP TWO amount.**

16 **(B) The STEP SIX amount."**

17 Page 2, line 17, delete "(d)" and insert "(e)".

18 Page 2, line 18, after "2005." insert "As soon as practicable after
 19 a creditor comes into possession of personal property described in
 20 subsection (c), the creditor shall request the form described in
 21 subsection (f) from the county treasurer."

22 Page 2, line 19, delete "(c)" and insert "(d)".

23 Page 2, line 25, delete "(c)" and insert "(d)".

24 Page 2, line 26, delete "(e)" and insert "(f)".

25 Page 2, line 32, delete "creditor's" and insert "**creditor's**".

26 Page 2, line 35, delete "(f)," and insert "(g),".

27 Page 2, line 36, delete "creditor's" and insert "**creditor's**".

28 Page 2, line 38, delete "(f)," and insert "(g),".

29 Page 2, line 39, delete "creditor's" and insert "**creditor's**".

30 Page 3, line 1, delete "creditor's" and insert "**creditor's**".

31 Page 3, line 5, delete "creditor's" and insert "**creditor's**".

32 Page 3, line 6, delete "(f)" and insert "(g)".

(Reference is to ESB 226 as printed February 13, 2004.)

Representative Stevenson